

### REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-12 are pending in this application. Claims 1-12 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. 2004/0064380 to Hiratsuka in view of U.S. 2003/0012098 to Sako et al. (herein "Sako"). That rejection is traversed as now discussed.

Independent claim 1 is herein amended to clarify a "controller configured to acquire medium identifying information specific to and uniquely characterizing one recorded-contents-carrying original recording medium including contents to be copied". That feature is believed to be clear from the original disclosure, see as one non-limiting example the specification at page 19, lines 9-13. The other independent claims 9-12 are similarly amended.

The claims as currently written recite a controller or operation to acquire a medium identifying information specific to and uniquely characterizing one recording-contents-carrying original recording medium. With respect to features of the "medium identifying information" the outstanding Office Action now appears to newly cite Sako for example at paragraphs [0027], [0028], [0129]-[0132];, [0203], [0204], and [0213].<sup>1</sup>

In reply to that grounds for the rejection, applicants submit the disclosures in Sako are not directed to the claimed features.

The claims are directed to providing a unique identifier for each specific recorded-contents-carrying original recording medium. That is, in the claims as written each recording medium is uniquely identified with its own identifier. Sako does not disclosure or suggest any such features.

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<sup>1</sup> Office Action of December 23, 2010, pages 5-6, paragraph j.

Sako for example at cited paragraph [0205] provides details of the original medium identification information as “describing the *medium type* of the original of the content” (emphasis added). That information would not uniquely identify a recording medium, but instead different recording mediums of the same type would have the same identification.

At cited paragraphs [0027] and [0028] Sako merely discloses extracting management information without providing the details of that information. At cited paragraphs [0129]-[0132] Sako discloses data being superimposed with a watermark and utilizing a medium type determination signal.

In cited paragraph [0131] Sako discloses “the medium type determining circuit 115 determines whether the optical disk 101 is a read-only disk or ... the medium determining circuit 115 outputs the medium type determination signal corresponding to the determined recording medium type”. Again that disclosure in Sako merely indicates providing an identification of a medium type, and not uniquely identifying each recording medium.

Applicants also draw attention to Figure 15 in Sako that shows storing an original medium identification that can indicate whether the disk is an ROM, R, RW, or R or RW. Again such disclosures in Sako do not uniquely identify the recording medium, but only the type of recording medium. In Sako different recording mediums of the same type will have that same medium identifier. In contrast to Sako a feature in the claimed invention is each recording medium will have its own unique identifying information. Sako does not disclose or suggest such features.

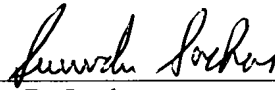
Thereby, in view of the foregoing comments no disclosures in Sako cure the recognized deficiencies in Hiratsuka with respect to the claims as currently written.

In view of the foregoing comments, applicants submit the claims as currently written clearly distinguish over Hiratsuka in view of Sako.

As no other issues are pending in this application, it is respectfully submitted this application is in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, L.L.P.



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Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/09)

Surinder Sachar  
Registration No. 34,423